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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,659	10/24/2003	Takahiro Mori	KON-1832	9930
20311	7590	09/03/2004		EXAMINER
MUSERLIAN AND LUCAS AND MERCANTI, LLP 475 PARK AVENUE SOUTH NEW YORK, NY 10016			CRENSHAW, MARVIN P	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/692,659	MORI, TAKAHIRO	
	Examiner	Art Unit	
	Marvin P. Crenshaw	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 - 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 - 11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 October 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teng (6,242,156) in view of APA JP 10-869.

Teng teaches a printing plate material comprising a substrate and a component layer provided thereon, the substrate having a center line average surface roughness Ra of from 0.2 to 1.0 gym, wherein the center line average surface roughness Ra is obtained from three dimension surface roughness measurement according to JIS-B-0601, and wherein an image is capable of being recorded on the component layer by imagewise exposure of infrared laser. However, Teng doesn't teach an oil-retention volume A2 of from 1 to 10.

APA JP 10-869 teaches an and an oil-retention volume A2 of from 1 to 10 (See applicants Spec, pages 19 – 20).

It would have been obvious to modify Teng to have an oil-retention volume A2 of from 1 to 10 as taught by APA JP 10-869 to provide an efficient means for the surface of the printing plate to allow the of ink to flow over the cylinder.

With respect to claim 2, Teng teaches a printing plate material wherein the substrate is an aluminum or aluminum alloy plate which has been subjected to surface

roughening treatment, followed by anodizing treatment or hydrophilization treatment (See col. 6, lines 18 – 33).

With respect to claim 3, Teng teaches a printing plate material wherein the substrate is a surface roughened aluminum or aluminum alloy plate having deep pits charged with a hydrophilic material or an oleophilic material (See col. 5, lines 5 – 24). With respect to claim 4, Teng does not teach a printing plate wherein the oil-retention volume A2 is from 2 to 8.

APA (JP0 10-869) teaches a printing plate wherein the oil-retention volume A2 is from 2 to 8 (See applicants Spec, pages 19 – 20).

It would have been obvious to modify Teng to have an oil-retention volume A2 is from 2 to 8 as taught by APA JP 10-869 to provide an efficient means for the surface of the printing plate to allow the of ink to flow over the cylinder.

With respect to claim 5, the printing plate material wherein the component layer being an oleophilic layer, wherein the printing plate material is positive working, and the oleophilic layer at exposed portions is capable of being removed by development on press (See col. 1, lines 20 - 42).

With respect to claim 6, the printing plate material wherein the oleophilic layer varies from hydrophobic to hydrophilic by heating (See, col. 6, lines 26 – 39).

With respect to claim 7, The printing plate material wherein the component layer being comprised of an oleophilic layer and a hydrophilic layer provided on the oleophilic layer, wherein the printing plate material is negative working, and the hydrophilic layer

at exposed portions is capable of being removed by development on press (See col. 1, lines 20 - 42).

With respect to claim 8, the printing plate material wherein the component layer being comprised of a hydrophilic layer and an oleophilic layer provided on the hydrophilic layer, wherein the printing plate material is positive working, and at least the oleophilic layer at exposed portions is capable of being removed by development on press (See col. 1, lines 20 - 42).

With respect to claim 9, the printing plate material wherein the component layer being capable of being removed by development on press and containing heat melting particles or heat fusible particles, wherein the printing plate material is negative working, and the component layer at exposed portions is incapable of being removed by development on press (See col. 1, lines 20 -42).

With respect to claim 10, the printing plate material wherein the printing material after image recording is capable of being developed with water (See col. 3, lines 55 – 65 and col. 4, lines 1 – 15).

With respect to claim 11, Teng teaches a printing plate material wherein the printing material after image recording is capable of being developed on a printing press by supplying a dampening water and/or printing ink (See col. 3, lines 55 – 65 and col. 4, lines 1 – 15).

Conclusion

Art Unit: 2854

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MPC
August 10, 2004



Daniel J. Colilla
Primary Examiner
Art Unit 2854